

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ASTERIA VIVES	:	CIVIL ACTION
	:	
v.	:	
	:	
FRANK RODRIGUEZ, et al.	:	NO. 09-cv-2728-JF

ORDER

AND NOW, this 7<sup>th</sup> day of June 2010, upon consideration of the defendants' motions to dismiss, and the plaintiff's responses thereto, and after oral argument, IT IS ORDERED:

1. That the complaint is DISMISSED WITHOUT PREJUDICE as to defendants Domingo and Milagros Rodriguez. The plaintiff is GRANTED LEAVE TO FILE AN AMENDED COMPLAINT within 30 days of the date of this Order.

2. That the motions to dismiss the complaint filed by defendants Frank and Miguelina Rodriguez are DENIED, and the defendants' motion for the Court to abstain from exercising jurisdiction over this case is DENIED WITHOUT PREJUDICE.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.